

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, *et al.*

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*

Defendants.

No. 19-cv-07777 (GBD)

NOTICE OF WAIVER OF REPLY AND HEARING

In connection with Defendants' Motion to Stay Injunction Pending Appeal (ECF No. 111), Defendants hereby provide notice that they waive their right under the Local Rules to file a reply in support of that motion. In light of the Court's ruling on Plaintiffs' motion for preliminary injunction and the associated hearing, Defendants also submit that a hearing is unnecessary to resolve Defendants' instant motion.

Given the harms and other issues identified in Defendants' motion, Defendants respectfully request that the Court rule on the motion by November 14, 2019, after which Defendants intend to seek relief in the U.S. Court of Appeals for the Second Circuit.

Dated: November 8, 2019

GEOFFREY S. BERMAN
United States Attorney

Respectfully submitted,

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Assistant Attorney General

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Director, Federal Programs Branch

/s/ Joshua M. Kolsky

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CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2019, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Joshua M. Kolsky
JOSHUA M. KOLSKY